

THE UNITED STATES DISTRICT COURT FOR
SOUTHERN DISTRICT OF NEW YORK

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GENOA COLOR TECHNOLOGIES, LTD.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 07-CV-6233
)	
MITSUBISHI ELECTRIC CORP.;)	(JURY TRIAL DEMANDED)
MITSUBISHI ELECTRIC US HOLDINGS, INC.;)	
MITSUBISHI ELECTRIC AND)	
ELECTRONICS USA, INC.;)	
MITSUBISHI DIGITAL ELECTRONICS)	
AMERICA, INC.; SAMSUNG)	
ELECTRONICS CO., LTD.; SAMSUNG)	
ELECTRONICS AMERICA, INC.)	
)	
Defendants.)	
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DECLARATION OF RALPH ECKARDT

I, Ralph Eckardt, hereby declare as follows:

1. I give this Declaration on the basis of my personal knowledge of the facts stated herein.
2. I have not been retained by any party to this action and I am not being compensated in connection with this Declaration.
3. I am co-author, with Mark Blaxill, of the report entitled, "Re-Examining *Inter Partes* Re-Exam" by the Institute for Progress (the "Report"), a copy of which has been provided to this Court in support of the Plaintiff's Motion for Reconsideration.
4. I have read the oppositions filed by the Samsung and Mitsubishi defendants in this action to Plaintiff's Motion for Reconsideration, in which they make statements about the Report.

5. I give this Declaration for the purpose of providing information to this Court that may assist it in deciding Plaintiff's Motion for Reconsideration.

6. Mark Blaxill and I are Fellows of the Institute for Progress. Previously, Ralph Eckardt was a principal of the Boston Consulting Group and Mark Blaxill was an Officer of the Boston Consulting Group.

7. The Institute for Progress is an independent think tank whose purpose is to provide a rational perspective with insight and analysis about the role of intellectual property in promoting "the progress of science and the useful arts."

8. Following publication of the Report, Mark Blaxill and I have provided information in response to various blogs concerning the Report to clarify some points about the coverage the report has received. Our clarifications regarding the Report are accurately stated in the copy of the blog in *Intellectual Asset Magazine* attached hereto as Exhibit A.

Signed under the pains and penalties of perjury this 17th day of July, 2008.



Ralph Eckardt